

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1-39. (Canceled)

40. (Currently Amended) A kit for performing a procedure on a spine, the spine including an epidural space containing a thecal sac, the kit comprising:

an insertion member for accessing the epidural space, the insertion member comprising a tissue piercing distal tip; and[:]]

an expandable device adapted sized and shaped to be inserted into the epidural space by the insertion member and configured to be expanded so as to protect and displace ~~compress~~ a portion of the thecal sac and provide a safety zone within the epidural space,

~~;- and a tool adaptable to engage the ligamentum flavum and further adaptable to resect a section of the ligamentum flavum, wherein the insertion member handle and the expandable device handle do not form a composite handle.~~

41. (Currently Amended) The kit of claim 40 wherein the insertion member tool comprises ~~includes at least one of a needle and a cannula and a hook.~~

42. (Canceled)

43. (Previously Presented) The kit of claim 40 further comprising an injectable medium.

44-49. (Withdrawn)

50. (Previously Presented) The kit of claim 43 wherein the injectable medium is a contrast medium.

51. (Previously Presented) The kit of claim 50 wherein the contrast medium is a radio-opaque non-ionic myelographic contrast medium.

52. (Previously Presented) The kit of claim 51 wherein the contrast agent comprises an inert base.

53. (Previously Presented) The kit of claim 40 further comprising at least one bioactive agent.

54. (Previously Presented) The kit of claim 53 wherein the bioactive agent is a therapeutic agent.

55. (Currently Amended) The kit of claim 54 wherein the therapeutic agent includes at least one of ~~is selected from at least one of~~ an anti-inflammatory agent ~~or~~ and an anesthetic.

56. (Previously Presented) The kit of claim 54 wherein the therapeutic agent is a steroid.

57. (Currently Amended) The kit according to claim ~~36~~40 wherein said expandable device comprises a volume of a contrast medium.

58. (Previously Presented) The kit according to claim 57 wherein the contrast medium comprises a radio-opaque non-ionic myelographic contrast medium.

59. (Currently Amended) The kit according to claim ~~36~~40 wherein said expandable device comprises a volume of a medium that is injectable at ambient temperatures and more viscous at body temperature.

60-62. (Canceled)

63. (New) The kit of claim 40 wherein the insertion member further comprises a distally located side aperture, and wherein the expandable device is configured to expand from a side of the insertion member opposite the side aperture.

64. (New) The kit of claim 40, further comprising a tool, the tool comprising a tissue engager and a tissue cutter, wherein the tissue engager can move relative to the tissue cutter, and wherein the tissue engager does not extend distally beyond the tissue piercing distal tip.

65. (New) The kit of claim 64 wherein the tissue engager includes at least one of a blade, a barb, a needle, a hook, and a tooth.

66. (New) The kit of claim 64 wherein the tissue cutter is configured for substantially longitudinal movement relative to the insertion member, and the tissue cutter includes a distal tip configured to cut tissue and engage a proximal region of the tissue piercing distal tip.

67. (New) The kit of claim 40 wherein the expandable device is further configured to be expanded to compress a portion of the thecal sac.